

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

YOUBYOUNG PARK,

Plaintiff,

vs.

Civ. No. 11-987 KG/RHS

ADAM GAITAN, JOHN DYKES,  
& JOHN BARRICKLOW,  
in their individual capacities,

Defendants.

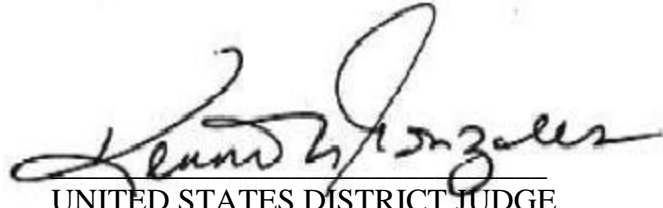
PARTIAL DISMISSAL AND PARTIAL SUMMARY JUDGMENT

Having granted, in part, Defendants Gaitan's, Dyke's and Barricklow's Motion for Summary Judgment (Doc. 37) by a Memorandum Opinion and Order entered contemporaneously with this Partial Dismissal and Partial Summary Judgment,

IT IS ORDERED that:

1. the Fourteenth Amendment claims brought in Counts I and II of the First Amended Complaint for Violation of Civil Rights (Doc. 54) (First Amended Complaint) are dismissed without prejudice;
2. summary judgment is entered in favor of Defendants Adam Gaitan, John Dykes, and John Barricklow on the Fourth Amendment claims brought in Counts I and II of the First Amended Complaint;
3. the Fourth Amendment claims brought in Counts I and II of the First Amended Complaint are dismissed with prejudice;
4. summary judgment is entered in favor of Defendants Adam Gaitan, John Dykes, and John Barricklow on Count III of the First Amended Complaint; and

5. Count III of the First Amended Complaint is dismissed with prejudice.



UNITED STATES DISTRICT JUDGE